

MINIMUM FILING FEE: \$100.00  
FILE ORIGINAL & ONE COPY  
TYPE OR PRINT IN BLACK INK  
(For explanation of entries required, see  
booklet "How to File an Application to  
Appropriate Water in California")

STATE OF CALIFORNIA  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
901 P Street, Sacramento  
P. O. Box 2000, Sacramento, CA 95812-2000

Working Copy

APPLICATION TO APPROPRIATE WATER BY PERMIT

Application No. 31398

(Leave blank)

2003 FEB 21 AM 10:12

STATE WATER RESOURCES  
CONTROL BOARD

1. APPLICANT

Fetzer Vineyards (Bonterra Ranch) (707) 744-7589  
(Name of applicant) (Telephone number where you may be reached  
between 8 a. m. and 5 p. m. - include area code)  
c/o Susanne Zechiel  
P.O. Box 611, Hopland, CA 95449  
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is POD #1: Unnamed stream  
POD #2: McNab Creek  
(If unnamed, state that it is an unnamed stream, spring, etc.)  
tributary to POD #1: McNab Creek thence Russian River; POD #2: Russian River  
b. In a normal year does the stream dry up at any point downstream from your project? YES ☒ NO ☐ If yes, during  
what months is it usually dry? From June to September  
What alternate sources are available to your project should a portion of your requested direct diversion season be  
excluded because of a dry stream or nonavailability of water? None

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Mendocino

b. List all points giving coordinate distances from section corner or other tie as allowed by Board regulations i. e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment	1/4 of 1/4				
	1/4 of 1/4				
	1/4 of 1/4				

c. Does applicant own the land at the point of diversion? YES ☒ NO ☐

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken  
to obtain right of access: N/A

FOR0053-R2

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose,  
and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second  
(approximately 16,000 gallons per day). Purpose must only be "Domestic" for registration of small domestic use.\*

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Irrigation, Frost Protection,					49	11/1	5/31
Incidental Recreation, Heat Control,							
Fire Protection							
					49		

b. Total combined amount taken by direct diversion and storage during any one year will be 49 acre-feet.

\*Not to exceed 4,500 gallons per day by direct diversion or 10 acre-feet per annum by storage.

## 5. JUSTIFICATION OF AMOUNT

a. IRRIGATION: Maximum area to be irrigated in any one year is 164 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
Vineyard	159	Drip, Sprinklers	49	4/15	10/15
Olives	5	Drip			

b. DOMESTIC: Number of residences to be served is           . Separately owned? YES ☐ NO ☐

Total number of people to be served is           . Estimated daily use per person is            (Gallons per day)

Total area of domestic lawns and gardens is            square feet.

Incidental domestic uses are            (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock            Maximum number           

Describe type of operation:           

(Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing ☒ Swimming ☒ Boating ☐ Other ☐

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre-feet
Present						

Month of maximum use during year is           . Month of minimum use during year is           .

f. HEAT CONTROL: The total area to be heat protected is 159 net acres.

Type of crop protected is vineyard

Rate at which water is applied to use is 35 gpm per acre.

The heat protection season will begin about 6/1 and end about 8/31  
(Date) (Date)

g. FROST PROTECTION: The total area to be frost protected is 159 net acres.

Type of crop protected is vineyard

Rate at which water is applied to use is 55 gpm per acre.

The frost protection season will begin about 3/1 and end about 5/15  
(Date) (Date)

h. INDUSTRIAL: Type of industry is           

Basis for determination of amount of water needed is           

i. MINING: The name of the claim is           . Patented ☐ Unpatented ☐

The nature of the mine is           . Mineral to be mined is           

Type of milling or processing is           

After use, the water will be discharged into           

(Name of stream)

In            1/4 of            1/4 of Section           , T           , R           , B. & M.

(40-acre subdivision)

j. POWER: The total fall to be utilized is            feet. The maximum amount of water to be used through the penstock

is            cubic feet per second. The maximum theoretical horsepower capable of being generated by the

works is           . Electrical capacity is            kilowatts at            % efficiency.

(Cubic feet per second x fall ÷ 8.8)

(Hp x 0.746 x efficiency)

After use, the water will be discharged into           

(Name of stream)

In            1/4 of            1/4 of Section           , T           , R           , B. & M. FERC No.           

(40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific species and habitat type that will be preserved or enhanced in Item 17 of Environmental Information form WR 1-2.

l. OTHER: Describe use: Fire Protection. Basis for determination of amount of water needed is

Fire protection will be incidental to irrigation use

## 6. PLACE OF USE

- a. Does applicant own the land where the water will be used? YES ☒ NO ☐ Is land in joint ownership? YES ☐ NO ☒  
(All joint owners should include their names as applicants and sign the application.)  
If applicant does not own land where the water will be used, give name and address of owner and state what arrangements have been made with the owner. \_\_\_\_\_

b.	USE IS WITHIN (40-acre subdivision)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
						Number of acres	Presently cultivated (Y/N)
	1/4 of 1/4	See Attachment					
	1/4 of 1/4						
	1/4 of 1/4						
	1/4 of 1/4						
	1/4 of 1/4						
	1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

## 7. DIVERSION WORKS

- a. Diversion will be by gravity by means of Dam at POD #1  
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)  
b. Diversion will be by pumping from POD #2: Reservoir Pump discharge rate 2 cfs Horsepower 45  
(Sump, offset well, channel, reservoir, etc.) (cfs or gpd)  
c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
POD #2-POD #1 Pipe	PVC	5" Ø	3,500'	5'*	+/-	2 cfs
* See project description						

- d. Storage reservoirs: (For underground storage, complete Supplement 1 to WR1, available upon request.)

Name or number of reservoir, if any	DAM			RESERVOIR			
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Res. #1	24.9'	Earth	700'	3.6'	3.1	49	22'

- e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Res. #1	Diameter of outlet pipe (Inches)	Length of outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
	12.0"	175'	1'	21'	1 AF

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 2 cfs. Diversion to offstream storage will be made by: ☒ Pumping ☐ Gravity

## 8. COMPLETION SCHEDULE

- a. Year work will start \_\_\_\_\_ b. Year work will be completed \_\_\_\_\_  
c. Year water will be used to the full extent intended 2012 d. If completed, year of first use Res. #2 built in 1947; Res. #1 built in early 1990's

## 9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Hopland
- b. Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YES ☐ NO ☒  
If yes, state name of the subdivision \_\_\_\_\_  
If no, is subdivision of these lands contemplated? YES ☐ NO ☒  
Is it planned to individually meter each service connection? YES ☐ NO ☒ If yes, When? \_\_\_\_\_
- c. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: See files of SWRCB.
- d. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain: \_\_\_\_\_

## 10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☒ NO ☐  
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater.)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
Appropriative	1947	Irrigation	11/1 4/1	McNab Cr.	Same as POD #2
A012232					

## 11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

Wagner & Bonsignore  
Consulting Civil Engineers, A Corp.

(Name of agent)

( 916 ) 441 - 6850

(Telephone number of agent between 8 a. m. and 5 p. m.)

444 North Third Street, #325, Sacramento, CA 95814

(Mailing address)

(City or town)

(State)

(Zip code)

Is authorized to act on my behalf as my agent.

## 12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated JAN 3, 2003 19\_\_\_\_\_, at Hopland, California

(If there is more than one owner of the project,  
please indicate their relationship.)

Ms. Mr.

Miss. Mrs.

(Signature of applicant)

Ms. Mr.

Miss. Mrs.

(Signature of applicant)

Additional information needed for preparation of this application may be found in the instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P. O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

### NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.  
There is no additional fee for registration of small domestic.

**ATTACHMENT TO ACCOMPANY  
WATER RIGHT APPLICATION  
BY  
FETZER VINEYARDS**

**Item 3 b. Points of Diversion and Rediversion**

**Map  
Point**

**Description**

- #1 Point of Diversion by Collection to Storage in Reservoir #1 and Point of Rediversion for Water Diverted at Point #2: Located N.501,073 and E.1,663,933, California Coordinate System, Zone 2. Being within NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of projected Section 33, T14N, R12W, MDB&M. x3520
- #2 Point of Diversion to Offstream Storage in Reservoir #1: Located N.502,205 and E.1,661,282, California Coordinate System, Zone 2. Being 300 feet due west of the NW corner of the Rancho de Sanel, being within the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 28, T14N, R12W, MDB&M. A12232

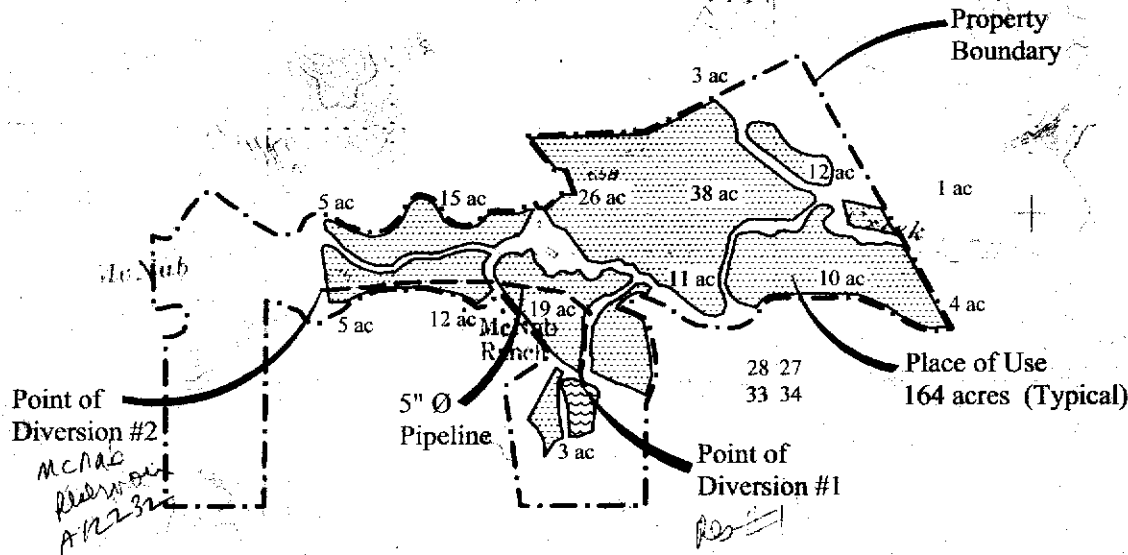
**Item 6 b. Place of Use**

<u>Use is Within</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>B.&amp;M.</u>	<u>Acres</u>	<u>Previously Cultivated</u>
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	27	T.14N.	R.12W.	M.D.	12	Yes
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	27	T.14N.	R.12W.	M.D.	10	Yes
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	27	T.14N.	R.12W.	M.D.	1	Yes
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	27	T.14N.	R.12W.	M.D.	4	Yes
SE $\frac{1}{4}$ of NE $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	3	Yes
NW $\frac{1}{4}$ of SW $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	5	Yes
NE $\frac{1}{4}$ of SW $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	15	Yes
NW $\frac{1}{4}$ of SE $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	26	Yes
NE $\frac{1}{4}$ of SE $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	38	Yes
SW $\frac{1}{4}$ of SW $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	5	Yes
SE $\frac{1}{4}$ of SW $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	12	Yes
SW $\frac{1}{4}$ of SE $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	19	Partial
SE $\frac{1}{4}$ of SE $\frac{1}{4}$	28	T.14N.	R.12W.	M.D.	11	Yes
NW $\frac{1}{4}$ of NE $\frac{1}{4}$	33	T.14N.	R.12W.	M.D.	3	No
<b>TOTAL</b>					<b>164</b>	

R12W

N

Scale 1" = 2000'



T14N  
T13N

Map to Accompany  
Application No. \_\_\_\_\_  
by  
Fetzer Vineyards  
for  
Appropriation of Water  
from  
McNab Creek and  
Unnamed Stream  
Mendocino County, California

**Wagner Bonsignore**  
Consulting Civil Engineers, A Corporation

Map Point

Description

- 1 Point of Diversion by Collection to Storage in Reservoir #1 and Point of Rediversion for Water Diverted at Point #2: Located N.501,073 and E.1,663,933, California Coordinate System, Zone 2. Being within NW¼ of NE¼ of projected Section 33, T14N, R12W, MDB&M.
- 2 Point of Diversion to Offstream Storage in Reservoir #1: Located N.502,205 and E.1,661,282, California Coordinate System, Zone 2. Being 300 feet due west of the NW corner of the Rancho de Sanel, being within the SW¼ of SW¼ of projected Section 28, T14N, R12W, MDB&M.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
901 P Street, Sacramento  
P. O. Box 2000, Sacramento, CA 95810

APPLICATION TO APPROPRIATE WATER BY PERMIT  
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

DIV OF WATER RIGHTS  
SACRAMENTO

2003 FEB 21 AM 10:12

STATE WATER RESOURCES  
CONTROL BOARD

APPLICATION NO. 31398  
(leave blank)

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETE, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

**PROJECT DESCRIPTION**

1. Provide a brief description of your project, including but not limited to type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This project involves diversion of water from McNab Creek and an unnamed stream tributary to McNab Creek for storage in an existing onstream reservoir (POD#1) built in the early 1990's, located on the Applicant's property. In addition, the Applicant proposes to divert water from McNab Reservoir (POD#2), covered under License 3646 (Application 12232), to storage in Reservoir #1. The water will be used for irrigation, frost protection, and heat control of 159 acres of existing and proposed vineyard and 5 acres of olives, and for incidental recreational purposes at the reservoir.

Water is diverted from the outlet pipe of McNab Reservoir, and transmitted by pumping and/or gravity, depending on reservoir levels, through a 5-inch diameter PVC pipe to Reservoir #1. The current capacity of McNab Reservoir at POD#2 is approximately 90 acre-feet pursuant to a recent reservoir survey. The Licensee is considering excavating siltation in this reservoir to restore it to its licensed capacity of 96.5 acre-feet. McNab Reservoir is covered by the Division of Safety of Dams, Dam # 384-000.

Reservoir #1 will not be subject to the Division of Safety of Dams jurisdiction, based on a recent as-built survey. The current dam height, with 3.9 feet of flashboards in the spillway, is 24.9 feet as measured from the downstream toe. The capacity of Reservoir #1 is approximately 40.3 acre-feet with 3.9 feet of flashboards. It is proposed to increase the Reservoir's capacity up to 49 acre-feet in the future by excavation below the high water line. The total amount of water sought by this application shall not exceed 49 acre-feet per year.

## GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared for your project by another agency, we must consider it. If one has not been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:
- (a) Person contacted Mendocino County Date of contact 5/8/02  
Department Planning & Building Telephone (707) 463-4281
- (b) Assessor's Parcel No. 1) 047-120-036 2) 047-120-042 3) 047-120-043
- (c) County Zoning Designation 1) and 2) Upland Residential 40-acre minimum, 3) Ag-40 and flood plain.
- (d) Are any county permits required for your project? No If you answered yes, check appropriate spaces below:  
         Grading Permit,          Use Permit,          Watercourse Obstruction Permit,  
         Change of Zoning,          General Plan Change,          Other explain:
- (e) Have you obtained any of the required permits described above? N/A If you answered yes, provide a complete copy of each permit obtained.
3. Are any additional state or federal permits required for your project? No [i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.] For each agency from which a permit is required provide the following information:
- Permit type
- Person contacted          Agency
- Date on Contract          Telephone (    )
4. Has any public agency prepared an environmental document for any aspect of your project? No  
If so, please submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the public agency.



If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing an environmental document for your project or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project: The Applicant expects the State Water Resources Control Board will be the lead agency for the preparation of the appropriate environmental documents for this project.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your water right application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_

If you answered yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? An archaeological study was prepared for Fetzer Vineyards, and will be submitted to the SWRCB after receipt of the application number.

Do you know of any archeological or historical sites located within the general project area? Yes

If so, explain: The archaeological report states that a total of four prehistoric archaeological sites were found in the project area, in addition to the McNab Ranch House, which is an archaeological feature of the region.

### **ENVIRONMENTAL SETTING**

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- (a) Along the stream channel immediately downstream from the proposed point(s) of diversion
  - (b) Along the stream channel immediately upstream from the proposed point(s) of diversion
  - (c) At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

Tree Dominated Communities

Subalpine Conifer  
Red Fir  
Lodgepole Pine  
Mixed Conifer  
    Sierran Mixed Conifer  
    White Fir  
    Klamath Mixed Conifer  
Douglas-Fir  
Jeffrey Pine  
Ponderosa Pine  
Eastside Pine  
Redwood  
Pinyon-Juniper  
Juniper  
Aspen  
Closed-Cone Pine-Cypress  
Montane Hardwood-Conifer  
Montane Hardwood  
Valley Foothill Hardwood  
    Blue Oak Woodland  
✓ Valley Oak Woodland  
    Coastal Oak Woodland  
Valley Foothill Hardwood-Conifer  
    Blue Oak-Digger Pine  
Eucalyptus  
Montane Riparian  
Valley Foothill Riparian  
Desert Riparian  
Palm Oasis  
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub  
Low Sage  
Bitterbrush  
Sagebrush  
Montane Chaparral  
Mixed Chaparral  
Chamise-Redshank Chaparral  
Coastal Scrub  
Desert Succulent Shrub  
Desert Wash  
Desert Scrub  
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland  
Perennial Grassland  
Wet Meadow  
Fresh Emergent Wetland  
Saline Emergent Wetland  
Pasture

Aquatic Communities

✓ Riverine  
✓ Lacustrine  
Estuarine  
Marine

Developed Communities

Cropland  
✓ Orchard-Vineyard  
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program, at (916) 653-7203.)

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to construction and operation of your project. Consider all aspects of your project, including diversion structures, water distribution and use facilities, and changes in the places of use due to additional water development.

Future impacts on trees and shrubs in the project area will be minimal. All storage facilities are existing with no future enlargements above the existing high water line proposed. The majority of the project lands are existing with approximately 5 acres of vineyard proposed to be developed in naturally cleared areas (as shown on the aerial photo). A biological survey is planned for the Spring of 2003. The attached aerial photograph shows the location of the existing reservoirs and vineyard areas.

### **FISH AND WILDLIFE CONCERNS**

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your project (Note: See footnote denoted by \* under Question 11 below):

The typical species of fish that seasonally occur in McNab Creek are steelhead trout. Alternatively, the unnamed stream at POD #1 is ephemeral and does not support fishery habitat. All diversion structures are existing, and have been in place for many years, so there will be no additional impacts to the fishery habitat on McNab Creek in the future.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and changes in the places of water use (Note: See footnote denoted by \* below):

The property has historically been cultivated and stock-grazed for over 100 years. There will be no future impacts on riparian or terrestrial wildlife habitat. All diversion structures and the majority of the irrigated lands are presently in use. As stated above, the proposed places of use will be developed in naturally cleared areas.

**\*Note:** The purposes of Questions 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the project area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (see attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near your, consult your local telephone directory yellow pages under **Environmental and Ecological Services**, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program at (916) 324-6881 or the University of California, Cooperative Extension Service (see your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake?   No

If so, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **CERTIFICATION**

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date   JAN 6, 2003  

Signature \_\_\_\_\_